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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

LUCINDA MANAGEMENT, LLC,  
CENTENNIAL FOOD CORPORATION dba  
IHOP RESTAURANT, NELLIS FOOD  
CORPORATION dba IHOP RESTAURANT,  
VEGAS FOOD CORPORATION dba IHOP  
RESTAURANT, CHEYENNE FOOD  
CORPORATION dba IHOP RESTAURANT,  
CRAIG FOOD CORPORATION dba IHOP  
RESTAURANT, BAYSHORE FOOD  
CORPORATION dba IHOP RESTAURANT,  
DiHOP CORPORATION dba IHOP  
RESTAURANT, COOPER STREET CLAM  
& OYSTER BAR, LLC, and Does 1-5  
Inclusive,

Defendants.

Case No.: 2:17-cv-02458-MMD-EJY

**JOINT STIPULATION TO EXTEND THE  
TERM OF THE CONSENT DECREE  
FROM FEBRUARY 19, 2024 TO AUGUST  
18, 2024**

**TO THE HONORABLE MIRANDA M. DU:**

Plaintiff United States Equal Employment Opportunity Commission (“EEOC”) and Lucinda Management, LLC, Centennial Food Corporation dba IHOP Restaurant, Nellis Food Corporation dba IHOP Restaurant, Vegas Food Corporation dba IHOP Restaurant, Cheyenne Food Corporation dba IHOP Restaurant, Craig Food Corporation dba IHOP Restaurant, Bayshore Food Corporation dba IHOP Restaurant, DiHOP Corporation dba IHOP Restaurant, Cooper Street Clam & Oyster Bar, LLC (“Defendants”)(collectively, the “Parties”) hereby jointly stipulate to extend the term of the Consent Decree in the above-captioned case for six (6) months, from February 19, 2024, the current end of the term of the Decree, until August 18, 2024 to allow for a 6-month hiatus of certain requirements of the Consent Decree from November 1, 2020 through April 30, 2021 due to hardship created by the Covid-19 pandemic.

Pursuant to Section VI.A of the Consent Decree, signed by this Court on February 19, 2019, the terms of the Consent Decree may be amended or modified by a mutual written and signed agreement and the approval of this Court.<sup>1</sup> Under Section IV.B, this Court retains jurisdiction over this matter for the purposes of entering all orders, judgments and decrees that may be necessary to implement the relief provided for in the Consent Decree.

In September 2020, Defendants requested a six-month hiatus from enforcement of the Consent Decree due to the financial hardship they were experiencing as a result of the coronavirus pandemic. The EEOC was receptive to this request and expressed to Defendants its openness to agree to a hiatus on terms that would achieve the goal of reducing the cost of compliance with the Consent Decree during the height of the pandemic, while keeping in place inexpensive or cost-free provisions of the Decree and postponing some obligations until after the hiatus. Due to the need to place the Consent Decree temporarily on hiatus from November 1, 2020 until April 30, 2021 (the “hiatus term”) and complete some of the Consent Decree’s requirements later than initially anticipated, the Parties have mutually agreed to extend the term of the Consent Decree by six months. In order to ensure that the purpose of the Consent Decree – the protection of Defendants’ employees from discrimination, harassment and retaliation – is still

<sup>1</sup> “No waiver, modification or amendment of any provision of this Decree will be effective unless made in writing and signed by an authorized representative of each of the Parties and approved by the Court.”

1 achieved, the Parties have also mutually agreed to the following terms:

- 2 1. During the hiatus term, Section IX of the Consent Decree (“General Injunctive  
3 Relief”) will remain in full force and effect;
- 4 2. During the hiatus term, Defendants will comply with their internal complaint  
5 procedure under Section X.F of the Consent Decree, including by investigating and  
6 taking prompt and appropriate remedial action with respect to complaints of  
7 harassment, discrimination and retaliation;
- 8 3. The EEOC previously requested and received a signed declaration from Lucinda’s  
9 Director of Human Resources, Pilar Peynado, attesting that Lucinda had provided all  
10 relevant complaints and investigation-related documents pursuant to Section X.L of  
11 the Consent Decree through December 14, 2020. During the hiatus term, Defendants  
12 will comply with the recordkeeping requirements established in Consent Decree  
13 Section X.L, including by updating their internal complaint tracker with all  
14 complaints of discrimination, harassment and retaliation;
- 15 4. During the hiatus term, Defendants will produce all complaints and investigation-  
16 related documents required to be produced under the Decree to the Monitor and  
17 continue to retain the Monitor for the limited purpose of providing feedback related to  
18 investigations;
- 19 5. During the hiatus term, one HR training required by the Consent Decree will be  
20 completed regarding investigation review and how to properly conduct an  
21 investigation by the end of the hiatus term;
- 22 6. During the hiatus term, Defendants will maintain a hotline for receiving complaints  
23 and continue to disseminate the EEOC’s toll-free number;
- 24 7. During the hiatus term, Defendants will comply with the posting requirements of the  
25 Consent Decree under Section X.M;
- 26 8. During the hiatus term, Defendants will utilize the performance review form they  
27 created in compliance with Section X.K of the Consent Decree;
- 28 9. Following the hiatus term, Defendants will meet with the Monitor on May 3, 2020 at

10:00 a.m. to discuss relevant developments during the hiatus term, plan the resumption of training required by the Consent Decree, and the resumption of other Monitor requirements under the Consent Decree;

10. The Monitor will produce a short, informal report to the EEOC by May 30, 2020 regarding relevant developments during the hiatus term;

11. Following the hiatus term, Defendants will have all training materials reviewed by the Monitor and ready to conduct the remaining required training sessions before the Train-the-Trainer session which must be completed by June 15, 2021;

12. Following the hiatus term, Defendants will follow the training schedule entitled Updated Proposed Plan for Completion of Training (attached hereto as Attachment A);

13. For the remainder of the Decree term, Defendants will provide notice of the time, date, and location of all trainings to EEOC and the Monitor ten (10) business days in advance and coordinate the training dates with the Monitor.

As such, the parties stipulate, and respectfully request that the Court approve the stipulation that the Consent Decree term be extended for approximately six (6) months from February 19, 2024, the current end date of the Consent Decree, until August 18, 2024. Therefore, the parties stipulate to the Consent Decree term ending on August 18, 2024.

**IT IS SO STIPULATED.**

Date: April 13, 2021

Dated: April 13, 2021

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

LITTLER MENDELSON P.C.

/s/ Taylor Markey  
Taylor Markey  
Attorney for Plaintiff, EEOC

/s/ Wendy M. Krincek  
Wendy M. Krincek  
Attorney for Defendants

**ORDER**

**JOINT STIPULATION TO EXTEND THE TERM OF THE CONSENT DECREE  
FROM FEBRUARY 19, 2024 TO AUGUST 18, 2024 IS GRANTED. IT IS SO  
ORDERED.**

Date: April 14, 2021

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

THE HONORABLE MIRANDA M. DU,  
CHIEF UNITED STATES DISTRICT JUDGE

# ATTACHMENT A

# ATTACHMENT A

Updated Proposed Plan for Completion of Training

5 Civility Training Sessions Conducted By The Following Dates:

June 30, 2021  
June 30, 2022  
June 30, 2023  
December 30, 2023  
June 30, 2024

4 Non-Management Training Sessions Conducted By The Following Dates:

August 18, 2021  
August 18, 2022  
August 18, 2023  
August 18, 2024

9 Human Resources Training Sessions Completed By The Following Dates:

April 28, 2021 (to review investigations)  
June 15, 2021 or other date prior to the first civility training  
(to be utilized as a train the trainer session for civility,  
manager and non-manager training)  
December 30, 2021  
June 30, 2022  
December 30, 2022  
June 20, 2023  
December 30, 2023  
June 30, 2023  
December 30, 2023

9 Management Training Sessions To Be Completed By The Following Dates:

July 30, 2021  
January 30, 2022  
April 30, 2022  
July 30, 2022  
January 30, 2023  
July 30, 2023  
January 30, 2024  
April 30, 2024  
August 18, 2024